

REMARKS

Claims 40-46 are pending in the application and stand rejected by the Examiner. Applicants acknowledge with appreciation the Examiner's finding that claim 43 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if existing 35 USC § 112 rejections are overcome.

Claims 40, 42, 45, and 46 have been amended herein to correct an error in the claims. Specifically, the phrase 'the second audio number' should be 'the second audio information'. Support for this amendment may be found in the specification, for example, at page 5, lines 8-13.

Favorable reconsideration of the application is respectfully requested in view of the amendments to the claims and following comments.

I. CLAIM REJECTIONS – 35 USC § 112, second paragraph

Claims 42-46 stand rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner contends that claims 42-46 omit an essential step of copying first audio information, such omission amounting to a gap between the steps. The Examiner contends that the claims refer to steps of copying first audio information but do not generate the actual result of copied first audio information.

Applicants respectfully disagree with the Examiner's contention that claims 42-46 omit an essential step. Claims 42-46 refer to relevant elements of the invention in relation to a copying process or request. The actual copied data itself is not particularly relevant to the claimed invention. Rather, it is the manner in which the first audio information and second audio information is processed using the first management information, second management information, etc., in relation to a copying process.

Accordingly, while the claims do not specifically recite the actual copying of the first or second audio information, the claims do recite the relevant aspects of the invention in relation to the copying process.

Therefore, Applicants respectfully request withdrawal of the rejections under 35 USC § 112, second paragraph.

II. CLAIM REJECTIONS – 35 USC § 102(b)

Claim 40 stands rejected under 35 USC § 112 as being anticipated by Ohbi et al. (United States Patent Publication No. 2004/0047602).

i. Claim 40

Claim 40 is directed to an information recording medium comprising, *inter alia*, a first recording area for recording first audio information and first management information, and a second recording area for recording second audio information and second management information.

Claim 40 recites, *inter alia*, that the second management information includes link information which indicates that the first audio information and second audio information are related to each other. Additionally, claim 40 recites that the link information relates a group number and track number specifying the first audio information to an identification number specifying the second audio information.

ii. Ohbi et al. does not teach link information as claimed in the present invention

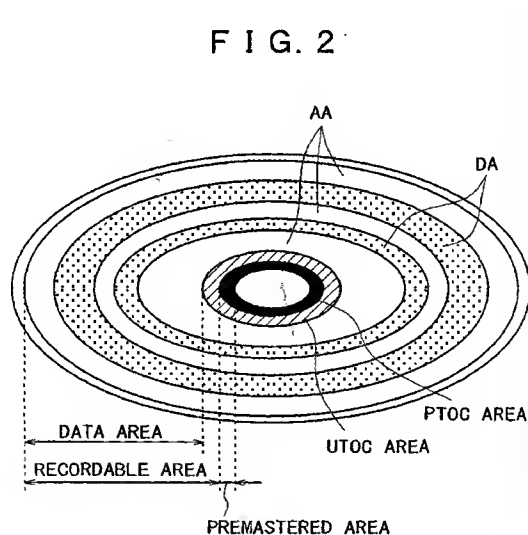
Ohbi et al. is directed to a recording medium (e.g. a Mini Disc) having a data area that stores both audio track information and data track information.

Ohbi et al. teaches that data and first management data for managing the data may be recorded on the data area (the Examiner contends that this corresponds to the second audio information and second management information as claimed in the present invention). Furthermore, Ohbi et al. teaches that second management data for

managing the audio track may be recorded on the data area (the Examiner contends that this corresponds to the first audio information and first management information as claimed in the present invention).

When a track is recorded on the data area, the track is assigned a corresponding part table that provides track attributes (see, e.g., [0184-0192] of Ohbi et al.).

The data area of the disc may be used in a manner in which audio tracks and data tracks are recorded together randomly ([0118]). As a result, track data may be recorded in two or more parts on the disk ([0179]). Figure 2 of Ohbi et al., reproduced below, illustrates an area structure of a Mini Disc as used in Ohbi et al.



AA represents the audio recording area and DA represents the data recording area.

If one track of data is recorded physically discontinuously on the disk, the recorded data is reproduced by linking part tables of the discontinuous parts in a sequential manner using link information ([0168-0169]; [0179]). That is, the link information of Ohbi et al. is used for connecting parts tables in which a start address and an end address of each discontinuous part (see, e.g., Figure 7 of Ohbi et al.).

Ohbi et al. does not teach the use of link information which indicates that the first audio information and the second audio information are related to each other, as

claimed in the present invention. Instead, the Ohbi et al. uses link information to link the part tables of the discontinuous audio track. There is no teaching that the link information of Ohbi et al. relates the audio track (corresponding to the “first audio information”) to the data track (corresponding to the “second audio information”). Furthermore, Ohbi et al. does not teach that the audio track and data track are related to each other.

Consequently, Ohbi et al. does not teach the use of link information to relate the group number and the track number specifying the first audio information to the identification number specifying the second audio, as claimed in the present invention.

That is, the link information of Ohbi et al. does not link audio track information in a given “group number and track number” to a particular data track information (e.g., such as an audio version of a song also being stored as a compressed digital form). Ohbi et al. is not concerned with storing both audio and compressed digital versions of a same song, for example.

Therefore, Applicants respectfully submit that claim 40 is neither anticipated nor rendered obvious in view of Ohbi et al.

III. CLAIM REJECTIONS – 35 USC § 103(a)

Claims 42, 45, and 46 stand rejected under 35 USC § 103(a) as being unpatentable over Ohbi et al. Claims 42, 45, and 46 each contain at least the claim features discussed above in relation to claim 40. Therefore, Applicants respectfully submit that claims 42, 45, and 46 are neither anticipated nor rendered obvious in view of Ohbi et al.

Claims 41 and 44 stand rejected under 35 USC § 103(a) as being unpatentable over Ohbi et al. in view of Sake (United States Patent Publication No. 2002/0172117). Claims 41 and 44 depend from claims 40 and 42, respectively. Accordingly, claims 41 and 44 each contain at least the claim features discussed above in relation to claim 40. Furthermore, Sake does not cure the deficiencies of Ohbi et al. as Sake does not

teach that the different types of audio tracks are related. Therefore, Applicants respectfully submit that claims 41 and 44 are neither anticipated nor rendered obvious in view of Ohbi et al. and Sake.

IV. CONCLUSION

Accordingly, all claims are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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